

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Ellen M. Welch *et al.*

Confirmation No.: 7049

Serial No.: 10/521,775

Art Unit: 1636

Filed: November 23, 2005

Examiner: Vogel, Nancy Treptow

For: METHODS FOR IDENTIFYING SMALL
MOLECULES THAT MODULATE
PREMATURE TRANSLATION TERMINATION
AND NONSENSE MEDIATED mRNA
DECAY

Attorney Docket No.: 10589-044-999

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§1.56 AND 1.97

E-File
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 and §1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Applicants hereby direct the Examiner's attention to references A49-A50, listed on the attached form entitled "List of References Cited by Applicant." References A49 and A50 were previously cited as references A38 and A42 respectfully in the Information Disclosure Statement filed on April 23, 2009, however, the application numbers listed were incorrect. Applicants have corrected the application numbers and request that references A49 and A50 filed herewith replace references A38 and A42 respectfully.

Copies of references A49-A50 are not submitted herewith because they are U.S. patents or U.S. Patent Application Publications. Pursuant to 37 C.F.R. § 1.98 (a)(2)(i) as amended (*see* Fed. Reg. vol. 69, no. 182, Sept. 21, 2004), the requirement for providing a copy of each U.S. patent or U.S. patent application publication listed in an Information

Disclosure Statement in a patent application, regardless of the filing date of the application, was eliminated.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(c)(2), Applicants estimate that a fee of \$180.00 is due in connection with the filing of this Information Disclosure Statement. The Patent and Trademark Office is authorized to charge the required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: September 15, 2009

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